

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

vs.

CASE NO.: 3: 99CR00217-002 (PG)

RAFAEL ORTEGA-REY

SUPPLEMENT TO THE MOTION FILED ON APRIL 20, 2005

**TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, JOSE A. FIGUEROA, U.S. PROBATION OFFICER of this Court, presenting an official report upon the conduct and attitude of releasee, Rafael Ortega-Rey, who on June 27, 2000, was sentenced to an aggregate imprisonment term of fifty-one (51) months to be followed by an aggregate four (4) year supervised release term, after he plead guilty of violating Title 21, *U.S. Code*, Section 846 and Title 18, *U.S. Code*, Section 1956(h). A special monetary assessment in the amount of \$200.00 dollars was also imposed. As a special condition, the Court ordered that the offender submit to urinalyses, provide access to financial information upon request and file income tax return as required by law. On June 13, 2003, a Motion for Some Disposition was filed requesting that the offender's supervision conditions be modified to include a substance abuse treatment condition. The same was granted on August 19, 2003. On April 20, 2005, a Motion Requesting the Issuance of Warrant for Arrest was filed.

The offender has once again violated the conditions of his supervision as follows:

- 1) **STANDARD CONDITION: “The defendant shall not commit another federal, state or local crime ”.**
- 2) **STANDARD CONDITION NO. 4: “The defendant shall support his or her dependents and meet other family responsibilities”.**

On April 26, 2005, the offender was arrested by the Puerto Rico Police Department and imprisoned for failing to pay his child support obligations.

WHEREFORE, I declare under the penalty of perjury that the foregoing is true and correct. Unless ruled otherwise, it is respectfully requested, that the aforementioned information be supplemental as additional violations to the motion filed on April 20, 2005.

In San Juan, Puerto Rico, this 25th day of May 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

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CERTIFICATE OF SERVICE

I HEREBY certify that on May 25, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Timothy R. Henwood, Assistant United States Attorney and Gabriel Hernández, Esq.

In San Juan, Puerto Rico, this 25th day of May 2005.

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